

# **Draft Environmental Assessment**

## **Marias River State Park and Wildlife Management Area Access Road and Parking Area Improvements**

Draft



***Montana Fish,  
Wildlife & Parks***

# **Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST**

## **PART I. PROPOSED ACTION DESCRIPTION**

### **1. Type of proposed state action:**

Montana Fish, Wildlife & Parks (FWP) proposes to construct an all-weather road to provide public and administrative access to the newly established Marias River State Park and Wildlife Management Area (SP/WMA) in Toole County, Montana. The primary access road would connect Hjartarson County Road with the northwestern corner of the SP/WMA, crossing private ranch property. The proposed action would also encompass other minor ranch road improvements as required by the easement agreement and the development of a formal parking area for visitors to the SP/WMA.

This assessment will discuss the completion of the entire road and terminus parking area within the SP/WMA. Because of agency budgeting, the proposed project is expected to require a phased installation approach. See Section 8: Alternatives for a discussion of the phases for Alternative B.

### **2. Agency authority for the proposed action:**

The access road will traverse through the privately owned McCormick Ranch. In October 2008, FWP purchased a perpetual non-exclusive Road Access and Utility Easement from the owners of the McCormick Ranch over the ranch's land. The 30' easement allows FWP to construct, repair, and maintain a 16' wide all-season road to provide public access to the new SP/WMA. Additional terms of the easement require FWP oversee weed management along the access road's corridor, improve the ranch's road to a stock water tank, and application of gravel to the road accessing the ranch's residence.

FWP has the authority to develop outdoor recreational resources in the state per 23-2-101 MCA.

Furthermore, state statute 23-1-110 Montana Code Annotated (MCA) and Administrative Rules of Montana (ARM) 12.2.433 guides public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 21.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule.

### **3. Anticipated Schedule:**

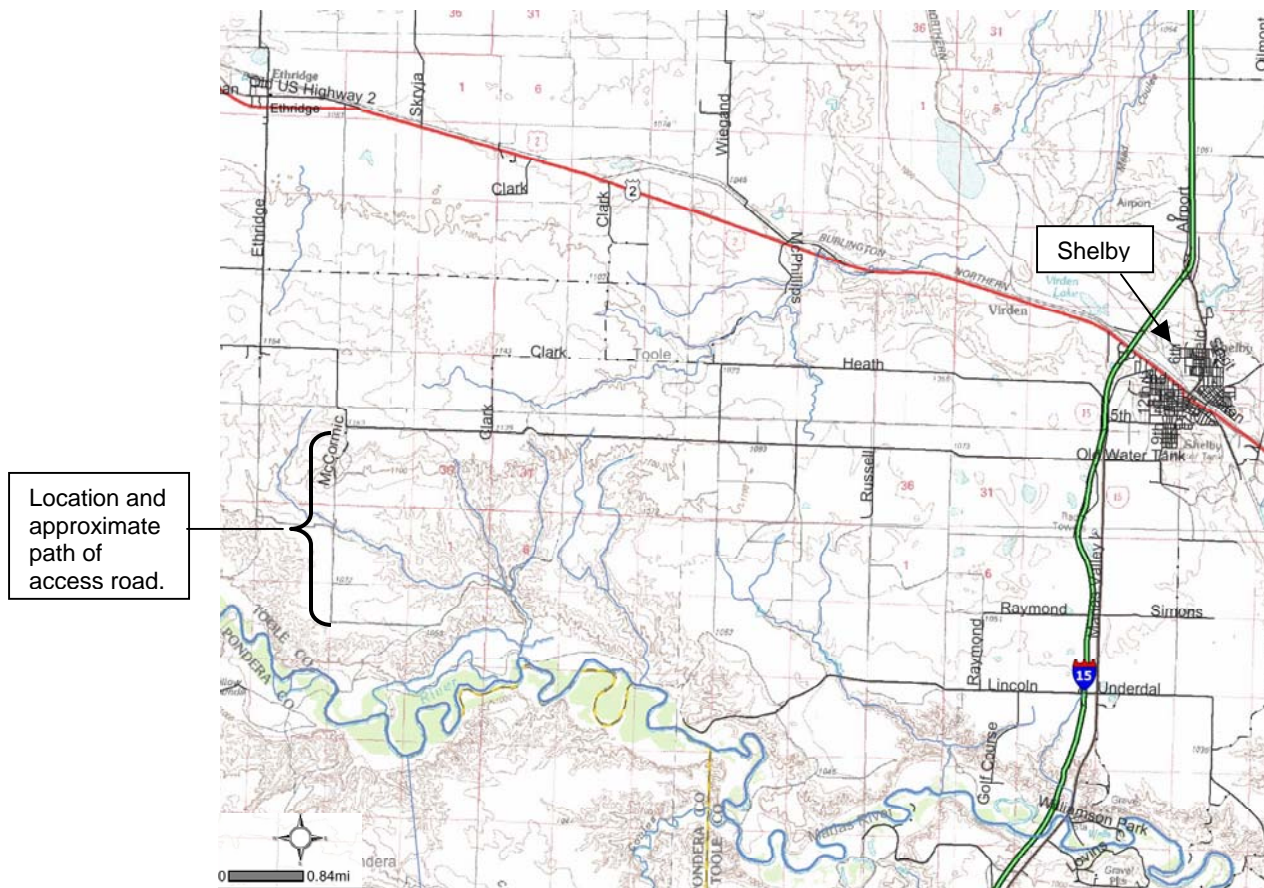
Estimated Construction Commencement Date: Summer of 2009

Estimated Completion Date of Phase I: Summer 2009

Estimated Completion Date of Phase II: Fall 2010

#### 4. Location:

The proposed project would take place in Toole County Sections 34 and 35, T32N, 4W and Sections 2, 3, and 11, T31N, 4W. The beginning of the proposed access road would be approximately 9 miles west of Interstate 15 along Hjartarson Road, which is 3 miles south of Shelby, Montana. See *Appendix A* for a detailed map of the proposed access road's path.



#### 5. Project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>7.0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

**6. Funding and any other Local, State or Federal agency that has overlapping or additional jurisdiction.**

**(a) Permits:** none are required

**(b) Funding:**

Montana Fish, Wildlife & Parks	\$ 200,000 (Phase I)
	\$ 90,000 (Phase II)

**(c) Other Overlapping or Additional Jurisdictional Responsibilities:**

State Historic Preservation Office – cultural and historic resources

**7. Narrative summary of the proposed action:**

In the fall of 2008, FWP acquired the 8,600-acre property (includes deeded and leased acres) now known as the Marias River State Park and Wildlife Management Area. The property is locally known as the Charlie Lincoln Ranch and it had historically been a working ranch until the 1970s.

The access road will traverse through the privately owned McCormick Ranch. In October 2008, FWP purchased a perpetual non-exclusive Road Access and Utility Easement from the owners of the McCormick Ranch over the ranch's land. The 30' easement allows FWP to construct, repair, and maintain a 16' wide all-season road to provide public access to the new SP/WMA. Additional terms of the easement require FWP oversee weed management along the access road's corridor, improve the ranch's road to a stock water tank, and application of gravel to the road accessing the ranch's residence.

The proposed location of the access road on the McCormick Ranch follows the path of an old road running north/south through the McCormick property. The condition of this old road varies from an established two-track to barely visible as it crosses the prairie. The existing two-track road also crosses an unnamed coulee, which requires vehicles to drive down into and back up a steep bank when traversing a small seasonal creek.

In order for FWP to meet the requirements of the McCormick Road Easement and provide the public with a safe route to the SP/WMA, FWP needs to upgrade the road surface so that it meets minimal requirements for an all-weather road. The SP/WMA will be open to visitors May 1<sup>st</sup> – January 1<sup>st</sup> for 2009. With a May 1 opening date, inclement weather will likely still occur making the unimproved two-track road muddy and impassable at times and may be subject to temporary closures.



Current condition of the access road as seen from the south side of the coulee.



Current condition of the access road as seen looking north from the location of the SP/WMA parking lot.

The primary goal for the improvements to the McCormick access road is to provide a safe route to access the SP/WMA. FWP believes the improved road should be able to accommodate single and towing vehicles and to provide for passing of meeting vehicles along the access road. The establishment of a formal road to the SP/WMA's boundary will decrease the probability of pioneered tracks from becoming established onto private property outside the McCormick Road Easement and that can negatively impact the native vegetation.

The proposed new access road, when completed, will establish a portal for recreationalists to enjoy the riparian, sagebrush-grassland and cottonwood gallery forest habitat communities that support an abundance of game and non-game species. The Marias River snakes through the property with numerous oxbows for its 16-mile journey through the new SP/WMA.

## 8. Alternatives:

### **Alternative A: No Action**

Postpone construction of access road until funding for the entire project can be secured. This would require FWP to restrict, or not permit, public access through the area to reach the SP/WMA.

### **Alternative B: Proposed Action - (Preferred)**

To construct an all-weather road to connect Hjartarson Road to the SP/WMA through the McCormick Ranch. Because of budgetary constraints, the construction of the road and terminus area within the SP/WMA will likely be completed in phases with some portions of the road left in a primitive state until the next phase of construction.

#### **Phase I:**

- Definition of access road path;
- Improvement of road with 6" subbase and 16' width with one roadside ditch;
- Installation of a culvert at the bottom of the coulee, as well as in other low drainage areas;
- Placement of four cattle guards;
- Grade and gravel the ranch's field road approaching its stock water tank area;
- Application of gravel to the ranch's roadway; and
- Other improvements as necessary.

To be completed by FWP Region 4 staff in conjunction with the construction of the access road: installation of a vault latrine, fencing around terminus area with cattle guard, installation of SP/WMA signage, and mowing of access road route along temporarily unimproved portions of the access road.

#### **Phase II/III:**

- Completion of road subbase of remaining portions of the road;
- Hardening of parking lot at terminus (graveled); and
- Installation of security camera at the McCormick residence (type and location to be determined).

### **Alternatives Considered but Eliminated from Further Analysis**

FWP did consider two other alternatives for the road's construction but they were eliminated from further consideration.

First option was to construct the road with a 10' width and pull-outs strategically located along the road's 2.5 mile path. Although this option would have provided the necessary access from the county road to the SP/WMA, FWP staff felt the smaller width could cause congestion issues along the road, which may require FWP to expand the road's width to 16' in the future. A second construction effort after the road's completion could be more costly to FWP and inconvenient to visitors.

The second option eliminated was to construct the road with a 4" subbase. Although this option would provide the public with road to access the SP/WMA, FWP engineers recommended against this options because the thinner section would create an uneven surface and would be difficult to compact properly. Furthermore, the uneven surface would more likely trap moisture or slow runoff that could increase the potential for ruts and potholes to become established.

## **PART II. PREDICTED ENVIRONMENTAL CONSEQUENCES**

Since the No Action alternative is merely a postponement of the preferred action (Alternative B), FWP believes the following analysis of anticipated environmental consequences is appropriate for both Alternatives.

If the No Action Alternative were chosen, FWP would need to designate the access road's path from Hjartarson Road to the northwest corner of the SP/WMA through the McCormick Ranch to reduce trespassing onto adjoining ranch property, decrease negative impacts to adjacent prairie and riparian vegetation, and to ensure public safety.

A potential benefit of postponing the proposed improvements to the two-track road if all necessary funding were obtained would be all the enhancements for the entire length of the road could be completed with minimal inconvenience to travelers and the McCormick Ranch while the construction effort was implemented.

The establishment of the designated terminus area would still be completed in 2009 in order to provide SP/WMA visitors with a formal parking area and access point to the property.

### **1. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

#### **A. PHYSICAL ENVIRONMENT**

<b>1. <u>LAND RESOURCES</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		Yes	1d
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1b & 1d. The predominant soil types present within the new access road's path are Chinook fine sandy loam, Cabbart-Hillon complex, Yamacall calcareous loam, and Joplin-Hillon clay loams. (USDA Natural Resources Conservation Service, Web Soil Survey) Elevations in the target area range from approximately 3,600 to 3,400 feet above sea level, with the lowest point where the proposed new road crosses an unnamed coulee.

Access Road - Although the proposed access road will follow an old roadway through the McCormick Ranch, the proposed construction of a formal, all-weather access road from Hjartarson Road to the northwestern portion of the SP/WMA, will require the displacement of topsoil along the road's path and for the roadside ditch. The approximate area to be affected by the road construction is 6 acres, 4.9 acres for the roadbed and 1.1 acres for the ditch.

The 6" subbase to be used as the foundation for the road will be compacted in order to decrease the potential for potholes and rutting from occurring while providing adequate drainage from the road surface. The ditch adjacent to the road will provide a location for water flows from the road surface so that sediment does not affect nearby ranch land. In areas where the slope of the ditch is greater than 2%, FWP may place temporary or permanent energy dissipaters (rocks, straw tubes) to reduce erosion patterns from being established and provide sediment settling.

In areas that have been disturbed by construction activities but are not part of the roadbed or ditch, FWP will work with the landowner to reclaim those areas to reduce the chance of weeds from becoming established and to return the sites to pre-construction condition. These sites will then be monitored in future years within the weed management plan for the area.

The final component of Phase I and the access road improvements is the placement of up to four cattle guards at strategic locations to prevent the trespass of cattle. Two of the new cattle guards will replace existing guards located at the entrance of the ranch buildings. The other two will be placed near the intersection of the ranch stock tank road and the SP/WMA access road and at the entrance of the terminus parking area. The final two cattle guards will require trenches to be dug before their placement. The soil removed from these spots will likely be used as fill material at other low spots in the access road's path.

#### Terminus Parking Area –

The preliminary plans for the development of formal parking area designates a 200'x200' area within the northwest corner of the SP/WMA. During Phase 1, the area will be fenced and mowed. The new fencing will cause limited displacement of soils but the installation will not effect geological features or establish new erosion patterns.

When the second phase is implemented, the actual parking area will be graveled to establish traffic flow (one-way) and designate parking spots for single and towing vehicles. The gravel will decrease the potential for rutting and muddy areas from forming, improving drainage, and decreasing soil erosion from windy conditions. Also, during this phase FWP plans to install a vault toilet within the parking area, which will also require the limited displacement of soil in the local area. If funding can be obtained, the latrine may be installed earlier.

#### Other Ranch Road Improvements –

The final components of the proposed project focus on FWP responsibilities as per the road easement agreement. These responsibilities include the grading and graveling a portion of the stock tank road and graveling of the ranch's entrance road. Both these activities are not expected to affect the existing soil conditions because both are established roads with long histories of use.



2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X			2a
b. Creation of objectionable odors?			X			2b
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				

2a & 2b. Minor and temporary dust and vehicle emissions would be created by construction equipment during the creation of the proposed access road, which is anticipated to last approximately 6 weeks in the first phase and if both phases are done at the same time, the construction time may be 3 months.

Since the proposed road is to provide public access to the new Marias River SP/WMA, FWP does not have historical data to estimate how many visitors will use the road to visit the FWP property, which depending upon the level of interest could contribute to the deterioration of normal air quality levels in the immediate area of the road, similar to that of a gravel county road.

The installation of the vault latrine at the parking area will provide visitors to the SP/WMA with a public restroom that will be maintained by FWP staff to ensure efficiency and reduce the potential for human waste within the public property or on neighboring private property. The design is effective at venting and dispersing odors.

3. <u>WATER</u>  Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes	3b
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?			X		Yes	3f
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				3h
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

- 3b. As noted in the comment of 1a, FWP will take steps to reduce new drainage patterns from becoming establish as a reaction to the construction of the access road. Furthermore, FWP may minimize the rate of surface runoff in ditches by the placement of energy dissipaters, especially in areas near the unnamed coulee. There is seasonal water flow in the coulee, which the access road will cross.

The design of the access road will raise the existing roadbed and will require the placement of a culvert in the bottom of the coulee so that water movement is unimpaired and that good water quality is maintained. The raised roadbed will also provide a more stable travel surface for SP/WMA visitor traffic when the water is running and surrounding soil is saturated.

- 3f. The anticipated construction period of the proposed access road will be during the summer when the water flow will be very low or non-existent. The lack of moving water at the time of construction will ensure down-creek sediment will be minimal and degradation to surface water limited or none at all. Areas adjacent to the creek disturbed by the road installation will be reseeded with native grasses or shrubs to decrease the potential for soil movement when water flows in the creek the following spring.
- 3g. The installation of a public toilet in the proposed parking area for SP/WMA is not expected to pose a threat of contamination to ground water resources since the vault latrine is a sealed unit and with proper maintenance is unlikely to leak.

The location of the parking area is over a half a mile from the Marias River and 1.25 miles from the unnamed coulee. There are no water resources in close proximity to the anticipated location of the latrine.

4. <b><u>VEGETATION</u></b>  Will the proposed action result in?	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				4d
e. Establishment or spread of noxious weeds?			X		Yes	4e
f. <u>For P-R/D-J</u> , will the project affect wetlands, or prime and unique farmland?		X				4f

- 4a. Both the proposed access road improvements and the development of the parking will disturb and cover over a small portion of the native prairie vegetation present. The elimination of vegetation for the implementation of the proposed action will not change the overall abundance and diversity of plant species within the area or on the McCormick Ranch.
- 4c. A search of the Montana Natural Heritage Program's (MNHP) species of concern database vascular or non-vascular plants of significance in the targeted path of the new access road.
- 4d. The portion of the McCormick Ranch in the path of the proposed access road is on the ranch's property enrolled in the USDA's Conservation Reserve Program (CRP), which means the acreage is no longer actively cultivated and has been reclaimed by native grasses to protect soil resources.
- 4e. Construction of the proposed road will likely increase the possibility of noxious weeds becoming established, since there are infestations of Russian knapweed, leafy spurge, spotted knapweed, white top, hounds tongue, and perennial pepperweed already established in other areas of the SP/WMA. Reseeding disrupted soils after construction will limit the potential for additional weed infestation by providing competition from a mix of local grasses and crops. As per the road easement agreement, FWP is responsible for weed management of the road easement. FWP has signed a Noxious Weed Management Agreement with Toole County Weed Supervisor to establish a cooperative effort between FWP and the county office for weed management efforts along the proposed access road. Weed management protocols established in the agreement are in accordance with FWP's 2008 Integrated Noxious Weed Management Plan, which provides guidance on the use of biological, mechanical, and chemical methods of weed control.

The construction of the parking area with a boundary fence and vault latrine will also likely contribute to the potential establishment of weeds to area. As with other elements of the proposed improvements, FWP will be responsible to control the creation of new weed communities in disturbed sites and will reseed shifted soils after installation efforts are completed.

- 4f. A search of the U.S. Fish and Wildlife Service wetlands data base found that one recorded wetland exists in the vicinity of the road's path. A small freshwater emergent wetland is identified west of the two-track road within the coulee. (US FWS, [www.wetlandsfws.er.usgs.gov](http://www.wetlandsfws.er.usgs.gov), 3/2/09). Since the proposed improvements to the road in the coulee includes the placement of a culvert and raising of the road bed is planned to occur during the dry summer season, it is unlikely the wetland will be negatively affected by the improvements. Furthermore the new road height will reduce destruction of vegetation in the creek bed especially during when wet conditions are present.

There are no prime farmlands included within the property's boundaries, but over 55% of proposed path of the access road is located on Farmland of Local Importance (3/2/09, USDA Natural Resources Conservation Service, Soil Survey database).

<b>** 5. <u>FISH/WILDLIFE</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?			X		Yes	5e
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g
h. <u>For P-R/D-J</u> , will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. <u>For P-R/D-J</u> , will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

The SP/WMA access road will pass through prairie grassland habitat that supports various game birds (peasant, sharp-tailed grouse, and Hungarian partridge), ungulates (antelope, mule deer, and white-tailed deer), and numerous small non-game mammals and birds. A search of the Natural Heritage database found that the only sensitive species in the vicinity is the Peregrine falcon. The proposed road improvements and parking lot development will not impact that species since its preferred habitat, such as the cliff overlooking the Marias River, will not be disturbed by any of the project components.

- 5e. The placement of a boundary fence around the new parking lot is not expected to create a barrier to ungulates (antelope, mule deer, and white-tailed deer) that move through the area. There are already several established fence lines bordering the northern edge of the SP/WMA and neighboring Montana Department of Natural Resources property to the west of the parking lot. Neither existing fence is known to have caused unnecessary impediment for animal movements. FWP believes the new fence will not change animal movements since they are already accustomed to the other fences.

The proposed parking lot fence will be a wildlife-friendly design and may be a combination of smooth and barbed wire. The fence will be supported by steel and wood posts and is expected to be 42" high with the lowest strand at 18" allowing for animals to pass either across it or underneath it. The preliminary fence design also includes one or two equestrian pass-thrus to allow pedestrians and horses through to the SP/WMA while prohibiting motorized vehicles.

- 5g. The presence of a formal road along the western boundary of the McCormick Ranch to provide public access to will not impede wildlife movements since there is an existing two-track road and there are no plans for new fencing along its length. Animals may move away from the immediate area while the construction is taking place but normal animal patterns are anticipated to return to pre-construction levels when the improvements are complete.

## B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X			6a
b. Exposure of people to serve or nuisance noise levels?			X			6b
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

6a & b. There would be a temporary increase in noise levels on the McCormick Ranch due to the construction equipment and contracting staff working at the site. After the completion of the project, noise levels are expected to be slightly higher than they were to pre-installation levels when visitors are using the road to access the SP/WMA.

The path of the proposed access road near the McCormick Ranch's dwellings is expected to insulate those in the buildings from traffic noise from the road during peak visitation times (summer and hunting season). Distance between the buildings and the topography will assist with the disbursement of nuisance noises.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?			X		Yes	7d

7d. As noted in the comment for 6b, FWP acknowledges the potential exists the residents of the ranch will hear some traffic noise from the new access road, especially during peak visitation periods. The relocation of the access road away from the ranch buildings and residence will help in reducing negative effects to the ranch residents, as well as keeping traffic away from non-public areas. In addition to the location of the road, FWP plans to place appropriate signs at the intersection of the new access road with Hjartarson Road and other ranch roads reminding visitors to stay on the established road and off of private property.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?			X			8b
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X			8d

8a & d. Chemical spraying is identified as part of FWP's weed management plan with Toole County Weed District to limit the infestation of noxious weeds along the road corridor, as well as within the SP/WMA. Contractors, County Weed District crews, and FWP staff will conduct the application of any chemical treatment. Notification signs will be posted by crews prior to treating an area. The storage and mixing of the chemicals would be in accordance with standard operating procedures and per manufacturer's instructions.

8b. FWP have been in discussions with Toole County Search and Rescue to discuss emergency response plans for the SP/WMA. The improvements to the SP/WMA access road will assist rescue efforts by providing a safe route to the northwestern portion of FWP's property.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				9e

9e. FWP expects some additional traffic on Hjartarson Road from visitors traveling to and from the proposed SP/WMA access road. For planning considerations, traffic impacts are typically defined by Levels of Service (LOS). Hjartarson Road is a County Collector, with the ability to accommodate a minimum of 400 trips per day, and up to 1500 trips per day. With the limits of the parking area, assuming parking turns over twice a day and factor in discretionary trips, it likely that the site would generate a maximum of 25 trips per day. This will not impact the LOS of the Hjartarson Road, of McCormick Road.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u>  Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		n/a				
f. Define projected maintenance costs.	X					10f

10b. The establishment of the proposed access road does not effect the property taxes paid to Toole County.

10f. On-going maintenance costs for the project are expected to include weed management along the access road corridor, SP/WMA signage to designate the access road and to reduce trespassing on to the McCormick Ranch, pumping of the latrine, and when necessary, grading and application of gravel to maintain an all-season road. These costs will be paid from FWP operation and maintenance accounts for Wildlife Management Areas and State Parks. The exact cost of this level of service is unknown at this time.

<b>** 11. <u>AESTHETICS/RECREATION</u></b>  <b>Will the proposed action result in:</b>	<b>IMPACT *</b>					
	<b>Unknown</b>	<b>None</b>	<b>Minor</b>	<b>Potentially Significant</b>	<b>Can Impact Be Mitigated</b>	<b>Comment Index</b>
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X			11a
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X			11c
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				

- 11a. Although there is an existing two-track road and old road bed within the proposed access road's path, the establishment of a formal road with a raised roadbed will be a more visible presence on the landscape than its predecessor, but is expected to not be a offensive attribute to the viewshed. On the private land just north of the McCormick Ranch there is a large windmill farm with large number of gravel service roads, which FWP believes is a greater change to the viewshed than the access road will be.

The road will be visible from the ranch's residence and buildings, but no other neighboring buildings in sight of the proposed road.

- 11c. The establishment of a new public recreation area is predicted to add to the quantity of recreational opportunities in north central Montana. The proposed access road improvements will provide the public with a route to a new area for hiking, hunting, fishing, wildlife viewing, camping, and water-based activities. See *Appendix C* for the Tourism Report.

The proposed improvements to the access road and creation of a parking area will occur when the SP/WMA is open to visitors. During the construction period, the access road may be closed for limited intervals in order to accommodate construction equipment and to ensure public safety within the corridor. The closure will also limit the potential for visitors to pioneer their own way to the parking area that could negatively impact ranch property and prairie vegetation. FWP will make an effort to inform the public of planned closures to minimize inconveniences to visitors.



12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?	X					12a
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?	X					12c
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)	X					12d

12a, c, & d. Local knowledge of the property does acknowledge the Blackfeet Indians used the area for wintering sites and tipi rings can be found on the bluffs above the river. Additionally, Captain Meriwether Lewis traversed the area July 20-21, 1806 while exploring up the Marias River. This was prior to the encounter at Camp Disappointment, and subsequent return to the Missouri River.

Although the road easement is on private property, FWP's cultural resource specialist will conduct an inventory prior to the implementation of a construction effort to ensure no unrecorded historic or culturally sites or artifacts are disturbed by the proposed construction activities. The cultural resource specialist will consult with the State Historic Preservation Office if any sensitive resources are discovered.

## SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u>  Will the proposed action, considered as a whole:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				13e
f. <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. <u>For P-R/D-J</u> , list any federal or state permits required.		X				

FWP does not expect substantial public debate with the proposed access road improvements that will connect the northwestern corner of the SP/WMA with Hjartarson Road and the proposed terminus parking area within the SP/WMA. FWP has hosted four public meetings in area towns to communicate with local residents on FWP's management philosophies of the new Marias River Wildlife Management Area and State Park, which included discussions of the McCormick access road.

**2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**

Final plans and specifications for the project will be developed by the state appointed engineering consultant in conjunction with FWP engineering staff. FWP engineers will design other portions of the project (parking area). A private contractor selected through the State's competitive bid process will complete construction of the road. Final inspection will be the responsibility of the FWP Design and Construction Bureau.

State pesticide use laws and regulations will be followed. Application records will be submitted to the Montana Department of Agriculture as required every two-years and these records will be available to state investigators upon request.

FWP will follow the terms, conditions, and responsibilities as agreed upon in the Road Access and Utility Easement with the owners of the McCormick Ranch.

**PART III. NARRATIVE EVALUATION AND COMMENT**

The proposed access road improvements and development of a formal parking area within the Marias River Wildlife Management Area and State Park (SP/WMA) will meet the terms of the Road Access and Utility Easement signed by both FWP and owners of the McCormick Ranch to provide public access from Hjartarson Road and the SP/WMA. The access road will establish the initial primary route for visitors to gain admittance to the FWP property.

Although there is a primitive two-track road through the McCormick Ranch, the road requires improvements to bring it up to minimal standards for an all weather road to provide safe passage for vehicles traveling to the SP/WMA. In addition to addressing safety issues, the placement of a subbase for the road will reduce to potential for pioneered routes from becoming established on the McCormick Ranch beyond the perimeters of the easement. The enhancements to the road and the development of a formal parking area will negatively impact localized vegetation because of construction efforts, the impacts will be much less than if there was no designated vehicle routes.

Because of the scope of the proposed improvements, some impact to the human and physical environment is expected. However the majority of those influences, which were previously noted, are expected to be only for the duration of the construction period with no lasting negative effects on the physical and human environment. Those actions that cause impacts requiring mitigation, such as the placement of culverts and fence posts, application of subbase materials, and installation of the vault latrine, efforts will be taken to reseed disturbed and reclaimed areas. The reseeding at those disturbed sites will decrease the chance of noxious weeds being established and will limit new erosion patterns from being established and effecting the prairie vegetation.

Since there exists fence lines in close proximity with the location of the parking area and the design of the parking lot fence will be wildlife friendly, FWP believes the new fencing will not pose a hazard or impediment to transient and resident wildlife.

When all the components of the proposed action are completed, the access road will provide the public new recreational opportunities, such as hiking, wildlife viewing, fishing, hunting, canoeing, and camping, in a previously closed area. The secondary consequences of the opening of this access road will likely be additional pressure from the public on FWP to

establish additional access routes into the SP/WMA and development of the area for other recreation activities such as vehicle camping, interpretive trails, and opportunities for access to the area by physically challenged individuals. Any future development of portions of the SP/WMA would be addressed in another environmental analysis document.

## **PART IV. PUBLIC PARTICIPATION**

### **1. Public involvement:**

In February 2009, four public meetings were held in the vicinity of the SP/WMA to engage the public in the decision making process of management and access to the new FWP property. The meetings were held in Shelby (Feb. 2<sup>nd</sup>), Cut Bank (Feb. 3<sup>rd</sup>), Valier (Feb. 4<sup>th</sup>), and Conrad (Feb. 5<sup>th</sup>). Topics discussed focused on access areas to the property, noxious weed management, baseline range survey, and authorized recreational uses. In total, approximately 80 people attended those meetings.

In addition to the public meetings, FWP hosted two meetings in December 2008 to talk with adjacent landowners to the SP/WMA. Between the two meetings, one hosted in Valier and the other in Shelby, 16-20 landowners participated.

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: *Great Falls Tribune*, *Helena Independent Record*, and *The Shelby Promoter*;
- One statewide press release;
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to the landowners neighboring the proposed access road and interested parties to ensure their knowledge of the proposed project.

No additional public meetings are planned at this time. However, a public meeting could be scheduled by FWP if the public expresses sufficient interest.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

### **2. Duration of comment period:**

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., April 29, 2009 and can be mailed to the address below:

Marias River SP/WMA Access Road Improvements and Parking Area  
Montana Fish, Wildlife & Parks, Parks Division  
4600 Giant Springs Road  
Great Falls, MT 59405

Or email: [mmarcinek@mt.gov](mailto:mmarcinek@mt.gov)

## **PART V. EA PREPARATION**

1. **Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?** No

**If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based on an evaluation of the primary, secondary, and cumulative impacts to the physical and human environment under the Montana Environmental Protection Act (MEPA), this environmental review found no significant impacts from the proposed project. In determining the significance of the impacts, FWP assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur, growth-inducing or growth inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value affected, and precedent that would be set as a result of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. There are no irreversible and irretrievable commitments of resources. Therefore, an EA is the appropriate level of review and an EIS is not required.

2. **Persons responsible for preparing the EA:**

Rebecca Cooper  
MEPA Coordinator  
Montana Fish, Wildlife & Parks  
1420 E. 6<sup>th</sup> Ave., Helena MT 59601

Matt Marcinek  
Acting Regional Parks Manager  
Montana Fish, Wildlife & Parks  
4600 Giant Springs Road, Great Falls MT

Gary Bertellotti  
Acting Chief of Operations  
Montana Fish, Wildlife & Parks  
1420 E. 6<sup>th</sup> Ave., Helena MT 59601

3. **List of agencies consulted during preparation of the EA:**

Montana Fish, Wildlife & Parks  
Design & Construction Bureau  
Fisheries Division  
Legal Bureau  
Parks Division  
Wildlife Division

Montana Department of Commerce – Tourism  
Montana Natural Heritage Program – Natural Resources Information System (NRIS)  
U.S. Department of Agriculture – Natural Resources Conservation Service

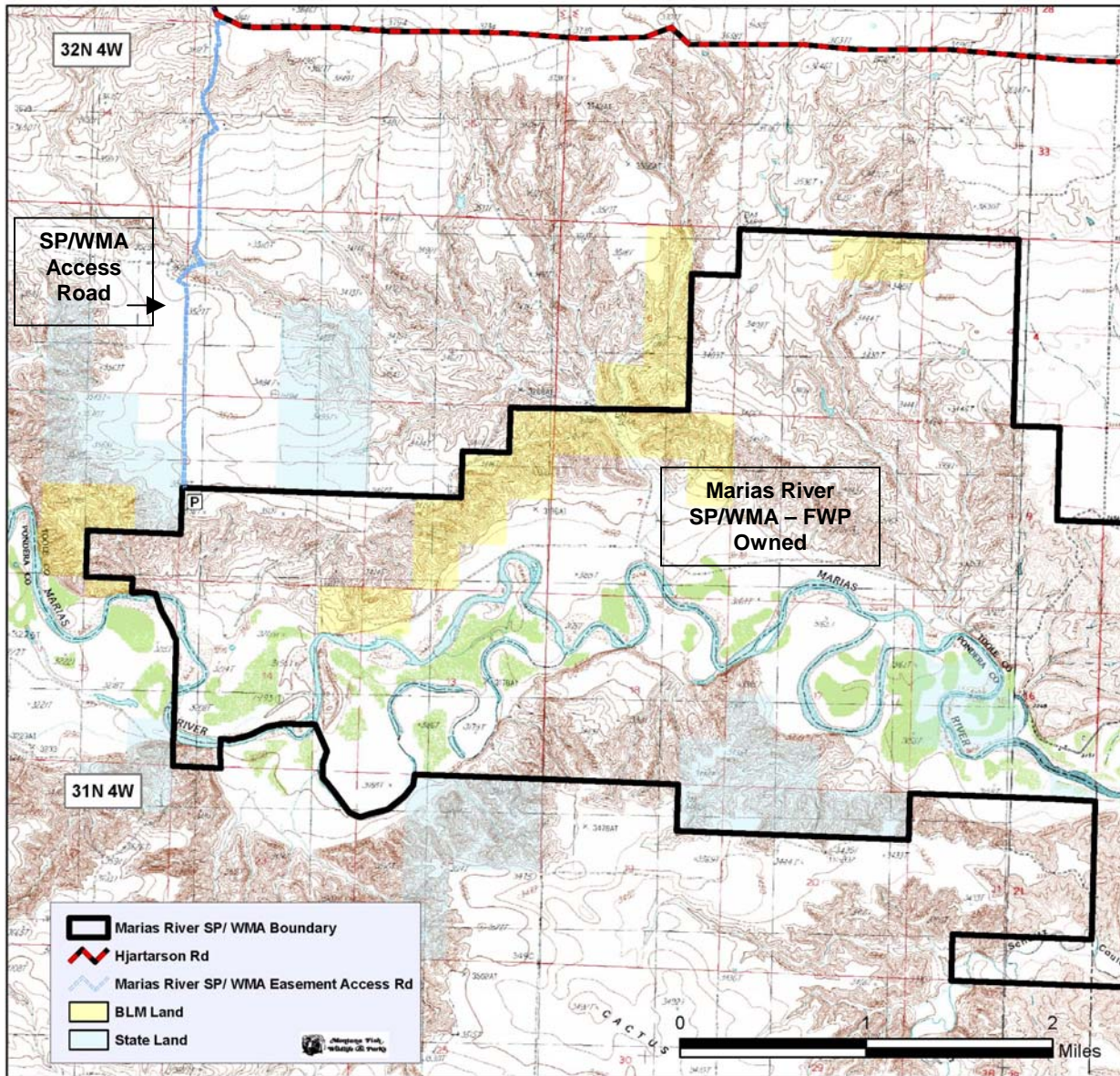
## **APPENDICES**

- A. Detailed Map of Access Road
- B. MCA 23-1-110 Qualification Checklist
- C. Tourism Report – Department of Commerce



## APPENDIX A

### Detailed Location Map of Access Road



## APPENDIX B

### 23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

**Date:** March 4, 2009

**Person Reviewing:** Rebecca Cooper

**Project Location:** Marias River Wildlife Management Area and State Park

**Description of Proposed Work:** Montana Fish, Wildlife & Parks (FWP) proposes to construct an all-weather road to provide public access to the newly established Marias River Wildlife Management Area – State Park (SP/WMA) in Toole County, Montana. The proposed action would also encompass other ranch road improvements as required by the easement and the development of a formal parking area for visitors to the SP/WMA.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ✓ all that apply and comment as necessary.)

- ☒ A. New roadway or trail built over undisturbed land?  
Comments: *The SP/WMA access road will follow portions of an existing ranch road. The condition of the ranch road to be followed ranges from a 16' wide graveled portion to a two-track portion 2.5 miles until the SP/WMA boundary. The more established portion of the ranch road will require minimal rehabilitation (approximately 5% of the road's length). Whereas, the remaining primitive portion of the road will require total reconstruction in order to come up to engineering standards for a all-weather roadway.*
- ☐ B. New building construction (buildings <100 sf and vault latrines exempt)?  
Comments: *Phase II does include the installation of a vault latrine at the parking area.*
- ☐ C. Any excavation of 20 c.y. or greater?  
Comments:
- ☒ D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?  
Comments: *Phase II of the proposed action will establish a designated parking lot at the terminus of the access road within the northwest corner of the SP/WMA. This parking lot will be large enough to accommodate a mix of single and towing vehicles, as well as a turn around area. Preliminary design for the parking area estimates the terminus site will be 200'x200', which will be able to accommodate up to eight vehicle when completed.*
- ☐ E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?  
Comments:



- [ ] F. Any new construction into lakes, reservoirs, or streams?  
Comments:
- [ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?  
Comments: *FWP's cultural resource specialist will complete an inventory of the access road's path prior to the implementation of any construction efforts to ensure no undocumented culturally or historically sites are affected by the proposed project.*
- [ ] H. Any new above ground utility lines?  
Comments:
- [ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?  
Comments:
- [ ] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?  
Comments:

If any of the above are checked, 23-1-110 MCA rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

## APPENDIX C

### TOURISM REPORT

#### MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager  
Travel Montana-Department of Commerce  
301 S. Park Ave.  
Helena, MT 59601

**Project Name:** Marias River Wildlife Management Area and State Park Access Road

**Project Description:** Montana Fish, Wildlife & Parks (FWP) proposes to construct an all-weather road to provide public access to the newly established Marias River Wildlife Management Area – State Park (WMA-SP) in Toole County, Montana. The access road would connect Hjartarson County Road with the northwestern corner of the WMA-SP. The access road would be across private land per an easement agreement with the landowner.

The WMA-SP encompasses approximately 7,500 acres in fee title and continue the leasing of 1,300 acres of important wildlife habitat along the Marias River. This road would provide public access to for hiking, camping, fishing, and floating activities.

The proposed project would take place in Toole County Sections 34 and 35, T32N, 4W and Sections 2, 3, and 11, T31N, 4W. The beginning of the proposed access road would be approximately 9 miles west of Interstate 15 along Hjartarson Road, which is 3 miles south of Shelby, Montana. See the attached pages for a location map of the proposed access road's path.

1. Would this site development project have an impact on the tourism economy?  
NO YES If YES, briefly describe:

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?  
NO YES If YES, briefly describe:

Yes, as described, the project has the potential to improve the quality and quantity of tourism and recreational opportunities.

Signature Carol Crockett, Visitor Services Manager Date 3/9/2009